

**DETAILED ACTION**

***Status of Claims***

1. This action is in reply to the application filed on 19 March 2004.
2. Claims 1-21 are currently pending and have been examined.

***Information Disclosure Statement***

3. The Information Disclosure Statements filed on 14 June 2004, 6 October 2005, 20 November 2006, and 14 May 2007 have been considered. An initialed copy of the Form 1449 is enclosed herewith.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 9 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claim 9 recites the limitation "the processing device" in its first limitation. There is insufficient antecedent basis for this limitation in the claim. For the process of examination, the examiner assumes that the preamble of claim 9 should have recited "The method of claim 8".
7. Claim 9 recites the limitation "the computer" in its first and second limitations. There is insufficient antecedent basis for this limitation in the claim. For the process of examination, the examiner assumes that the preamble of claim 9 should have recited "The method of claim 8".
8. Claim 9 recites the limitation "the audio or video presentation" in its second limitation. There is insufficient antecedent basis for this limitation in the claim. For the process of examination, the examiner assumes that preamble of claim 9 should have recited "The method of claim 8".
9. Claim 9 recites the limitation "remotely to the processing device" in its last sentence. The sentence fragment cannot be understood in the context of the claim as both the processing of information and producing of audio or video presentation occurs at the computer carried by the sales agent. For the process of examination, the examiner assumes that inclusion of the sentence fragment is in error.

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1, 12, 14-16, and 18 rejected under 35 U.S.C. 102(b) as being anticipated by Brockman et al. (US-PAT-NO: US 6,125,356 A).

**Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

**Claim 1**

Brockman, as shown, discloses the following limitations:

*A real time sales support method comprising:*

- *automatically monitoring an interaction between a sales agent and a customer* (see at least column 8, section G: "Conventional hardware and suitable programming may be included in the handheld unit 110 for selective audio recording of a conversation between the seller and the prospect ... the handheld unit 110 may automatically commence audio recording until the next phase of the conversation");
- *determining one or more contexts of the interaction* (see at least column 6, section A: "Different scripts may be used for different sales contexts"; the presence of different scripts per different sales contexts implies that the context has to be determined);

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- *based on the one or more contexts, automatically retrieving stored information relevant to the interaction* (see at least columns 10-11, section O where options installed on a particular vehicle are retrieved based on the discussed vehicle); *and*
- *providing the retrieved information in an electronically presentable format to the sales agent to be shared with the customer* (see at least columns 10-11, section O: "Additional information about the option can be displayed ...").

**Claim 12:**

Brockman, as shown, discloses the following limitations:

*A real-time sales support tool comprising:*

- *a data processing system* (see at least columns 5-6, section B: "The handheld unit 110 has a conventional input device operable by the seller for recording data about the prospect, along with suitable conventional programming for managing the input process");
- *a display system* (see at least column 6, section E: "The handheld unit 110 includes a conventional display");
- *an audio input device which detects at least part of a conversation between a sales agent and a customer* (see at least columns 5-6, section B: "The input device may take the form of, e.g., a keyboard; a touchscreen such as those found on many PDAs; a pointing device such as a mouse, trackball, or J-stick; or a voice-recognition unit. The input device may also have an audio recording input capability");
- *programming code operational with the data processing system to detect context-identifying keywords of the conversation and to retrieve from storage information based on the context-identifying keywords* (see at least column 6, section A: "Different scripts may be used for different sales contexts"; the presence of different scripts per different sales contexts implies that the context has to be determined and columns 10-11, section O where options installed on a particular vehicle are retrieved based on the discussed vehicle);
- *programming code operational with the data processing system and the display system to produce an audio or video presentation of the retrieved information to supplement the*

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*conversation between the sales agent and the customer (see at least column 11, lines 20-22:*

*“The programming and data structures of the handheld unit 110 can also be designed to provide the seller with a list of options that could be installed on that vehicle if desired”).*

**Claim 14:**

Brockman discloses all the limitations of claim 12 as shown above. Furthermore, Brockman, as shown, discloses the following limitations:

*The real-time sales support tool further comprising:*

- *a radio circuit to communicate context-specific queries to a server and to retrieve context-specific responses from the server, the context-specific queries being based on the context-identifying keywords, the context-specific responses including the information retrieved from storage at the server (see at least column 5, section A: “The handheld unit 110 may have a conventional communications interface or link 120 to the central computer unit 105 or to other handheld unit(s) 110, preferably a wireless link 120 to enable user mobility. The wireless link 120 may take the form of, e.g., a radio modem, an infrared beam, or similar devices”).*

**Claim 15:**

Brockman, as shown, discloses the following limitations:

*A just-in-time learning tool comprising:*

- *an input/output device to generate signals representative of spoken words of one or more parties to a conversation (see at least columns 5-6, section B: “The handheld unit 110 has a conventional input device ... The input device may take the form of ... a voice recognition unit” and column 6, section E: “The handheld unit 110 includes a conventional display”);*
- *a speech server wirelessly coupled with the input/output device to receive the signals and to identify specified conversational cues among the spoken words of the conversation to identify a current informational need of a party to the conversation (implicitly disclosed since a voice recognition unit can be used; see at least columns 5-6, section B: “The handheld unit 110 has a conventional input device ... The input device may take the form of ... a voice recognition unit” and column 6, section E: “The handheld unit 110 includes a conventional display” and column 5,*

section A: "The handheld unit 110 may have a conventional communications interface or link 120 to the central computer unit 105 or to other handheld unit(s) 110, preferably a wireless link 120 to enable user mobility. The wireless link 120 may take the form of, e.g., a radio modem, an infrared beam, or similar devices"); and

- *a data store coupled to the speech server* (see at least column 6, section D: "The handheld unit 110 includes programming for interrogating the sales-information data store to obtain information requested by the seller") *to retrievably store information of potential interest, specific information relevant to the current informational need being retrievable from the data store upon identification of the specified conversational cues, the specific information being provided substantially in real time from the data store to the input/output device to inform the party to the conversation.*

**Claim 16:**

Brockman discloses all the limitations of claim 15 as shown above. Furthermore, Brockman, as shown, discloses the following limitations:

*wherein the input/output device comprises one of:*

- *a tablet personal computer,*
- *a personal digital assistant and*
- *a wireless telephone.*

See at least column 5, lines 50-53: "The handheld computer unit 110, referred to as a handheld unit, may be a custom designed unit or a suitably programmed subnotebook computer or personal digital assistant (PDA)".

**Claim 18:**

Brockman, as shown, discloses the following limitations:

*A collaboration method for a sales agent and a customer, the collaboration method comprising:*

- *at a computing device portable by the sales agent during an interaction with the customer* (see at least column 5, section B: "The handheld unit 110), *receiving information about a conversation between the sales agent and the customer* (see at least column 5, section B: "The handheld unit 110 has a conventional input device operable by the seller for recording data about the prospect")

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*from an audio input device (see at least columns 5-6, section B: " The input device may take the form of ... a voice-recognition unit. The input device may also have an audio recording input capability);*

- *identifying a plurality of contexts of the conversation based on the information (see at least column 6, lines 57-59: "the scripts preferably take into account the prospect data as it is entered by the seller");*
- *based on the plurality of contexts, identifying information that might be relevant to the customer (see at least column 6, section D: "The handheld unit 110 includes programming for interrogating the sales-information data store to obtain information requested by the seller"); and*
- *displaying the identified information on a display associated with the computing device for use by the sales agent in identifying purchase requirements of the customer (see at least column 6, section E: "The handheld unit 110 includes a conventional display (e.g., an LCD display) and suitable programming for displaying requested sales information to the seller").*

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

14. Claims 2-4 rejected under 35 U.S.C. 103(a) as being unpatentable over Brockman in view of Malec et al. (US-PAT-NO: US 4,973,952 A).

**Claim 2:**

Brockman discloses all the limitations of claim 1 as shown above. Furthermore, Malec, as shown discloses the following limitations:

*wherein determining one or more contexts of the interaction comprises:*

- *identifying a geographic context of the interaction between the sales agent and the customer* (see at least column 1, lines 55-57: "Specifically, an electronic display device mounted on the cart can deliver unique messages depending on the location of the cart in the store"); *and*
- *retrieving the information based in part on the geographic context* (see at least column 1, lines 55-57: "Specifically, an electronic display device mounted on the cart can deliver unique messages depending on the location of the cart in the store").

It would have been obvious to one skilled in the art at the time of the invention to introduce the features of the shopping cart of Malec to the handheld unit of Brockman as it provides "the consumer with dynamically changing advertisements and information that influence the consumer at the place and time of product selection" (Malec, column 1, lines 49-51).

**Claim 3:**

Brockman, in view of Malec, discloses all the limitations of claim 2 as shown above. Furthermore, Malec, as shown, discloses the following limitations:

*wherein identifying the geographic context comprises*

- *estimating a geographic location of the sales agent and the customer on a retail sales floor* (see at least column 2, lines 26-28: "In this manner, the transmitters act as signposts to inform the SCD of its location and orientation" where SCD is the Shopping Cart Display).

It would have been obvious to one skilled in the art at the time of the invention to introduce the features of the shopping cart of Malec to the handheld unit of Brockman as it provides "the consumer with dynamically changing advertisements and information that influence the consumer at the place and time of product selection" (Malec, column 1, lines 49-51).

**Claim 4:**

Brockman, in view of Malec, discloses all the limitations of claim 3 as shown above. Furthermore, Malec, as shown, discloses the following limitations:

*wherein automatically retrieving stored information comprises:*

- *based on the geographic location of the sales agent and the customer, retrieving information about products for sale near the geographic location on the retail sales floor (see at least column 1, lines 55-57: "Specifically, an electronic display device mounted on the cart can deliver unique messages depending on the location of the cart in the store").*

It would have been obvious to one skilled in the art at the time of the invention to introduce the features of the shopping cart of Malec to the handheld unit of Brockman as it provides "the consumer with dynamically changing advertisements and information that influence the consumer at the place and time of product selection" (Malec, column 1, lines 49-51).

15. Claims 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Brockman/Malec and further in view of Johnson et al. (PGPUB-NO: US 2002/0006126 A1).

**Claim 5:**

Brockman, in view of Malec, discloses all the limitations of claim 4 as shown above. Furthermore, Johnson, as shown, discloses the following limitations:

*wherein automatically retrieving stored information further comprises:*

- *detecting context-identifying keywords among spoken words of the sales agent and the customer (see at least page 4, paragraph 0038: "The node 212 can provide various dialog voice personalities (i.e., a female voice, a male voice, etc.) and can implement various grammars (i.e., vocabulary) to detect and respond to audio inputs from the user);*
- *based on the context-identifying keywords, retrieving additional information about the products for sale near the geographic location on the retail sales floor (see at least page 4, paragraph 0038: "The node 212 can provide various dialog voice personalities (i.e., a female voice, a male voice, etc.) and can implement various grammars (i.e., vocabulary) to detect and respond to audio inputs from the user).*



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It would have been obvious to one skilled in the art at the time of the invention to determine conversational context by establishing speech recognition grammar as done by Johnson to the voice recognition system of Brockman so that the speech server can effectively detect and respond to audio inputs from a user.

16. Claims 6, 17, 19, and 21 rejected under 35 U.S.C. 103(a) as being unpatentable over Brockman in view of Johnson.

**Claim 6:**

Brockman discloses all the limitations of claim 1 as shown above. Furthermore, Johnson, as shown, discloses the following limitations:

*wherein automatically monitoring the interaction comprises*

- *non-obtrusively detecting spoken words of at least one of the sales agent and the customer, and wherein determining one or more contexts of the interaction comprises detecting context-identifying keywords among the spoken words to identify a current context and linking the current context to stored information relevant to the interaction (see at least page 4, paragraph 0038: "The node 212 can provide various dialog voice personalities (i.e., a female voice, a male voice, etc.) and can implement various grammars (i.e., vocabulary) to detect and respond to audio inputs from the user).*

It would have been obvious to one skilled in the art at the time of the invention to determine conversational context by establishing speech recognition grammar as done by Johnson to the voice recognition system of Brockman so that the speech server can effectively detect and respond to audio inputs from a user.

**Claim 17:**

Brockman discloses all the limitations of claim 15 as shown above. Furthermore, Johnson, as shown, discloses the following limitations:

*wherein the speech server comprises:*

- *one or more grammars, the one or more grammars defining the specified conversational cues and the associated specific information relevant to the current informational need stored in the*

*data store* (see at least page 4, paragraph 0038: "The node 212 can provide various dialog voice personalities (i.e., a female voice, a male voice, etc.) and can implement various grammars (i.e., vocabulary) to detect and respond to audio inputs from the user").

It would have been obvious to one skilled in the art at the time of the invention to determine conversational context by establishing speech recognition grammar as done by Johnson to the voice recognition system of Brockman so that the speech server can effectively detect and respond to audio inputs from a user.

**Claim 19:**

Brockman discloses all the limitations of claim 18 as shown above. Furthermore, Brockman, as shown, discloses the following limitations:

*The collaboration method further comprising:*

- *transmitting signals based on the information about the conversation to a remotely located server* (see at least column 6, section D: "The handheld unit 110 includes programming for interrogating the sales-information data store to obtain information requested by the seller");
- *retrieving the information that might be relevant to the customer based on the conversational context from a database associated with the server* (see at least column 6, section D: "The handheld unit 110 includes programming for interrogating the sales-information data store to obtain information requested by the seller").

Brockman does not disclose the following limitations, but Johnson, however, as shown does:

- *at the server, processing the signals to determine a conversational context* (see at least page 4, paragraph 0038: "The node 212 can provide various dialog voice personalities (i.e., a female voice, a male voice, etc.) and can implement various grammars (i.e., vocabulary) to detect and respond to audio inputs from the user)

It would have been obvious to one skilled in the art at the time of the invention to determine conversational context by establishing speech recognition grammar as done by Johnson to the voice recognition system of Brockman so that the speech server can effectively detect and respond to audio inputs from a user.

**Claim 21:**

Brockman discloses all the limitations of claim 18 as shown above. Furthermore, Johnson, as shown, discloses the following limitations:

*The collaboration method further comprising:*

- *detecting conversational prompts spoken by the sales agent* (see at least page 2, paragraph 0020 “The electronic network 104 retrieves information from the information source 106 based upon speech commands or DTMF tones from the user”);
- *in response to the conversational prompts, providing the information that might be relevant to the customer* (see at least page 2, paragraph 0023 “The network access apparatus 102 of the system 100 allows the user to access (i.e., view and/or hear) the information retrieved from the information source”).

It would have been obvious to one skilled in the art at the time of the invention to detect speech and retrieve relevant information as described by Johnson in the voice recognition system of Brockman as Johnson describes a standard voice recognition system, details of which are omitted by Brockman.

17. Claims 7 and 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Brockman, in view of Johnson, and further in view of Malec.

**Claim 7:**

Brockman, as shown, discloses the following limitations:

*A real-time sales support method comprising:*

- *at a processing device, detecting signals representative of speech of a conversation between a sales agent and a customer* (see at least columns 5-6, section B: “The handheld unit 110 has a conventional input device ... The input device may take the form of ... a voice recognition unit”);
- *in response to detection of a context keyword, accessing a memory to retrieve information pertinent to a context-related informational need of the customer* (see at least column 6, section D: “The handheld unit 110 includes programming for interrogating the sales-information data store to obtain information requested by the seller”); *and*

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- *transmitting data from the processing device to a display device* (see at least columns 6-7, section B: “The handheld unit 110 may include programming to display a series of scripted product features and benefits. These scripts may vary based upon the particular product that the prospect is interested in. A comprehensive product presentation is key element of a successful sales process), *the data producing an audio or video presentation of the retrieved information to supplement the conversation between the sales agent and the customer*

Brockman does not disclose the following limitations, but Johnson, however, as shown does:

- *at the processing device, decoding the speech to detect context keywords in the speech of the conversation* (see at least page 4, paragraph 0038: “The node 212 can provide various dialog voice personalities (i.e., a female voice, a male voice, etc.) and can implement various grammars (i.e., vocabulary) to detect and respond to audio inputs from the user);

It would have been obvious to one skilled in the art at the time of the invention to determine conversational context by establishing speech recognition grammar as done by Johnson to the voice recognition system of Brockman so that the speech server can effectively detect and respond to audio inputs from a user.

Brockman, in view of Johnson, do not disclose the following limitations, but Malec, however, as shown does:

- *transmitting data from the processing device to a display device, the data producing an audio or video presentation of the retrieved information to supplement the conversation between the sales agent and the customer* (see at least column 1, lines 52-55: “The Shopping Cart Display (SCD) System is a media system capable of delivering visual and aural messages to a consumer maneuvering a shopping cart through a store).

It would have been obvious to one skilled in the art at the time of the invention to introduce the features of the shopping cart of Malec to the handheld unit of Brockman as it provides “the consumer with dynamically changing advertisements and information that influence the consumer at the place and time of product selection” (Malec, column 1, lines 49-51). In addition, Brockman, in columns 6-7, section B discloses that “a comprehensive product presentation is key element of a successful sales process”,

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clearly suggesting the importance of a high quality presentation. Providing audio or video, as done by Malec, to enhance a presentation would have been obvious to one skilled in the art at the time of the invention.

**Claim 20:**

Brockman, in view of Johnson discloses all the limitations of claim 19 as shown above.

Furthermore, Malec, as shown, discloses the following limitations:

*The collaboration method further comprising:*

- *locating the computing device on a sales floor* (see at least column 2, lines 26-28: "In this manner, the transmitters act as signposts to inform the SCD of its location and orientation" where SCD is the Shopping Cart Display);
- *based on the location of the computing device, determining a geographic context* (see at least column 1, lines 55-57: "Specifically, an electronic display device mounted on the cart can deliver unique messages depending on the location of the cart in the store"); *and*
- *retrieving the information that might be relevant to the customer based on the geographic context from the database* (see at least column 1, lines 55-57: "Specifically, an electronic display device mounted on the cart can deliver unique messages depending on the location of the cart in the store").

It would have been obvious to one skilled in the art at the time of the invention to introduce the features of the shopping cart of Malec to the handheld unit of Brockman/Johnson as it provides "the consumer with dynamically changing advertisements and information that influence the consumer at the place and time of product selection." (Malec, column 1, lines 49-51)

18. Claims 8-11 rejected under 35 U.S.C. 103(a) as being unpatentable over Brockman/Johnson/Malec and further in view of Gattey et al. (US-PAT-NO: US 5,553,312 A).

**Claim 8:**

Brockman, in view of Johnson, and further in view of Malec discloses all the limitations of claim 7 as shown above. Furthermore, Gattey, as shown, discloses the following limitations:

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- *at a microphone carried by the sales agent, detecting at least portions of the conversation between the sales agent and the customer and producing electrical signals in response thereto to identify a context of the conversation* (see at least column 3, lines 18-25: "In the preferred embodiment, the headset includes transducers for converting voice into an analog electrical signal and electrical signals into sound ... In the preferred embodiment, the headset can include a mastoid microphone to minimize weight and maximize comfort");
- *wirelessly transmitting information about the produced electrical signals to a computer carried by the sales agent* (see at least abstract: "A headset is associated with each relay terminal. Circuitry is provided to permit two-way wireless communication between the headset, relay terminal and central station").

It would have been obvious to one skilled in the art at the time of the invention to introduce a headset as described by Gattey to the handheld portable computer disclosed by Brockman as doing so facilitates the capture of audio input and allows greater freedom in handling of the portable computer.

**Claim 9:**

Brockman, in view of Johnson, in view of Malec, and further in view of Gattey discloses all the limitations of claim 8 as shown above. Furthermore, Brockman, as shown, discloses the following limitations:

*The method further comprising:*

- *processing the information at the processing device of the computer carried by the sales agent* (see at least column 5, section B: "The handheld unit 110 has a conventional input device operable by the seller for recording data about the prospect, along with suitable conventional programming for managing the input process"); *and*
- Malec, as shown, further discloses the following limitations:
- *producing the audio or video presentation on a display of the computer carried by the sales agent* (see at least column 1, lines 52-55: "The Shopping Cart Display (SCD) System is a media system capable of delivering visual and aural messages to a consumer maneuvering a shopping cart through a store").

- *remotely to the processing device* (ignored; see 112 rejection above)

It would have been obvious to one skilled in the art at the time of the invention to introduce the features of the shopping cart of Malec to the handheld unit of Brockman as it provides “the consumer with dynamically changing advertisements and information that influence the consumer at the place and time of product selection” (Malec, column 1, lines 49-51). In addition, Brockman, in columns 6-7, section B discloses that “a comprehensive product presentation is key element of a successful sales process”, clearly suggesting the importance of a high quality presentation. Providing audio or video, as done by Malec, to enhance a presentation would have been obvious to one skilled in the art at the time of the invention.

**Claim 10:**

Brockman, in view of Johnson, in view of Malec, and further in view of Gattey discloses all the limitations of claim 8 as shown above. Furthermore, Brockman, as shown, discloses the following limitations:

*The method further comprising:*

- *wirelessly transmitting a context-specific query to a server from the computer carried by the sales agent* (see at least column 5, section A: “The handheld unit 110 may have a conventional communications interface or link 120 to the central computer unit 105 or to other handheld unit(s) 110, preferably a wireless link 120 to enable user mobility. The wireless link 120 may take the form of, e.g., a radio modem, an infrared beam, or similar devices”);
- *based on the query, at the server retrieving the information from the memory* (see at least column 6, section G: “The handheld unit 110 may access databases at external locations such as the external data store 115 via direct communications or by communications over the wireless link 120 to a central computer 105”); *and*
- *wirelessly transmitting a context-specific response based on the retrieved information from the server to the computer carried by the sales agent* (see at least column 6, section G: “The handheld unit 110 may access databases at external locations such as the external data store 115 via direct communications or by communications over the wireless link 120 to a central

computer 105" and column 6, section E: "The handheld unit 110 includes a conventional display (e.g., an LCD display) and suitable programming for displaying requested sales information to the seller").

**Claim 11:**

Brockman, in view of Johnson, in view of Malec, and further in view of Gattey discloses all the limitations of claim 10 as shown above. Furthermore, Brockman, as shown, discloses the following limitations:

*The method further comprising:*

- *receiving radio signals at one or more locations from the computer carried by the sales agent (see at least column 4, lines 46-50: "Virtually any of the databases referred to herein can be either local databases on the handheld unit (updated periodically from a central computer or other data store, e.g., via a serial or parallel cable, a network connection, a radio link, or an infrared link)");*
- *at the server, based on the received radio signals, identifying a geographic context of the computer carried by the sales agent (see at least columns 9-10 section N: "the central computer unit may determine from the prospect's ZIP code that the prospect lives in an area ..."); and*
- *retrieving the information based in part on the geographic context (see at least columns 9-10 section N: "the central computer unit may determine from the prospect's ZIP code that the prospect lives in an area in which mini-vans are popular").*

19. Claim 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Brockman in view of Gattey.

**Claim 13:**

Brockman discloses all the limitations of claim 12 as shown above. Furthermore, Brockman, as shown, discloses the following limitations:

*The real-time sales support tool further comprising:*

- *a portable computer including the data processing system and the display system, the portable computer configured to be carried by the sales agent (see at least column 6, section F: "The*



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handheld unit 110 may include a local data store (e.g., readwrite memory or "RAM," flash memory, or a hard disk drive) for locally storing some or all of the sales information data store and section E: "The handheld unit 110 includes a conventional display (e.g., an LCD display) and suitable programming for displaying requested sales information to the seller");

Brockman does not disclose the following limitations, but Gattey, however, as shown does:

- *a headset in data communication with the portable computer and including the audio input device, the headset configured to be worn by the sales agent during the conversation between the sales agent and the customer* (see at least Column 2 lines 25-26: "The headset is intended to communicate a relatively short distance with a personal, hand-held relay terminal").

It would have been obvious to one skilled in the art at the time of the invention to introduce a headset as described by Gattey to the handheld portable computer disclosed by Brockman as doing so facilitates the capture of audio input and allows greater freedom in handling of the portable computer.

***Conclusion***

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:
- Sloane et al. (US-PAT-NO: US 6,434,530 B1) discloses an interactive shopping system with mobile apparatus that provides shoppers with useful product information at the time and place of article selection.
  - Tracy et al. (US-PAT-NO: US 5,979,757 A) discloses a method and system for presenting item information using a portable data terminal.

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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Doron D. Fields** whose telephone number is **571.270.3107**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **JAMES A. REAGAN** can be reached at **571.272.6710**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

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April 7, 2008

/James A. Reagan/Supervisory Patent Examiner, Art Unit 4143